

Book

AN ORDINANCE PROHIBITING THE
NEGOTIATION OF EXCUSED ABSENCE
AND PAYMENT FOR INDIVIDUALS WHO
PROVIDE ELECTION-RELATED SERVICES

WHEREAS, before January 1, 1993, City employees
traditionally received paid time-off for Primary Election and
General Election Days;

WHEREAS, an ordinance allowing for the excused absence and
payment for individuals who provide election-related services was
defeated by the Common Council of the City of Ft. Wayne on April
26, 1994;

WHEREAS, the current agreement between the International
Union of Operating Engineers, Local 19 and the City of Ft. Wayne
contains language allowing for an excused absence and payment for
individuals who provide election-related services;

WHEREAS, it is in the interest of the City of Ft. Wayne to
have consistency with city policies;

NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF THE
CITY OF FT. WAYNE, INDIANA;

SECTION 1. No collective bargaining agreement between the
city or a collective bargaining unit negotiated shall contain a
provision allowing for an excused absence and payment for
individuals who provide election-related services.

SECTION 2. Primary Election and General Election Days
shall not be recognized as paid holidays for persons employed by
the City of Ft. Wayne.

SECTION 3. That this ordinance shall be in full force and
effect from and after its passage and any and all necessary
approval by the Mayor and shall apply to all agreements entered
into after its effective date.

Robert L. Davis
Council Member

APPROVED AS TO FORM
AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay
City Attorney



The City of Fort Wayne

Paul Helmke, Mayor

24-Hour Job Line (219) 427-1186
Benefits Administration (219) 427-1198
EEO/Affirmative Action (219) 427-1180
Labor Relations (219) 427-1180
Payroll (219) 427-1292
Personnel (219) 427-1180
TDD (219) 427-1180
FAX (219) 427-1393

Department of Human Resources
Room 380

M E M O R A N D U M

To: Members of the City of Ft. Wayne Common Council

From: Nelson Peters, Director of Human Resources

Subject: Election Day Ordinance

Date: August 29, 1994

Almost six months ago an ordinance allowing for the excused absence and payment of employees providing election related services was defeated by the Council. Because there is a clause in the IUOE, Local 19 contract allowing for such payment, same inconsistencies have been noted in the administration of election day absences.

Consequently, it has been necessary to propose a policy that prohibits all city employees from receiving an excused absence and payment for providing election related services. Additionally, Primary and General Election Days shall be not recognized as paid holidays for employees of the City of Ft. Wayne under the proposed ordinance.

I would appreciate your consideration for the passage of the attached ordinance. If you have any questions, in the meantime, please don't hesitate to call.

g-94-09-24.

Admn Appr _____

DIGEST SHEET

TITLE OF ORDINANCE: An Ordinance prohibiting city employees from receiving an excused absence and payment for providing election related services.

DEPARTMENT REQUESTING ORDINANCE: Human Resources Department(8-31-94)

SYNOPSIS OF ORDINANCE: To prohibit excused absences and payment for providing election related services to all city employees.

EFFECT OF PASSAGE: All employees will be prohibited from using excused absences and receiving payment for providing election related services.

EFFECT OF NON-PASSAGE: International Union of Operating Engineers, Local 19 will be allowed to use an excused absence and payment for individuals who provide election-related services.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS):

ASSIGNED TO COMMITTEE (PRESIDENT): _____

Amendment

Read the first time in full and on motion by _____,
and duly adopted, read the second time by title and referred to the
Committee on _____ (and the City Plan Commission
for recommendation) and Public Hearing to be held after due legal notice, at
the Common Council Council Conference Room 128, City-County Building, Fort
Wayne,, Indiana, on _____, the _____ day of
_____, 19_____, at _____ o'clock
_____, M., E.S.T.

DATED: _____
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by _____,
and duly adopted, placed on its passage. PASSED LOST
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES				1
BRADBURY	✓			
EDMONDS				✓
GiaQUINTA	✓			
HENRY		✓		
LONG	✓			
LUNSEY		✓		
RAVINE	✓			
SCHMIDT		✓		
TALARICO		✓		

DATED: _____
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____
on the _____ day of _____, 19____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on
the _____ day of _____, 19____,
at the hour of _____ o'clock _____, M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,
19____, at the hour of _____ o'clock _____, M., E.S.T.

PAUL HELMKE, MAYOR

1 BILL NO. G-94-09-24 (AS AMENDED)

2
3 GENERAL ORDINANCE NO. G-_____

4 An ordinance setting forth policies for
5 City Employees who provide election-
6 related services.

7 WHEREAS, before January 1, 1993, City employees
8 traditionally received paid time-off for Primary Election and
9 General Election Days;

10 WHEREAS, an ordinance allowing for the excused absence
11 and payment for individuals who provide election-related
12 services was defeated by the Common Council of the City of Ft.
13 Wayne on April 26, 1994;

14 WHEREAS, the current agreement between the
15 International Union of Operating Engineers, Local 19 and the
16 City of Ft. Wayne contains language allowing for an excused
17 absence and payment for individuals who provide election-
18 related services;

19 WHEREAS, it is in the interest of the City of Ft. Wayne
20 to have consistency with City policies;

21 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF
22 THE CITY OF FT. WAYNE, INDIANA;

23 SECTION 1. No collective bargaining agreement between
24 the City and a collective bargaining unit shall contain a
25 provision allowing for an excused absence and payment for
26 individuals who provide election/campaign-related services.

27 SECTION 2. Primary Election and General Election Days
28 shall not be recognized as paid holidays or authorized days
29 off for persons employed by the City of Ft. Wayne, except for
30 individuals who work for the Allen County Election Board as
31 Inspector, Clerk, Judge or Sheriff or in some other official
32 capacity appointed by the Allen County Election Board for at
least eight (8) hours on the Election Day in question.

SECTION 3. Notification of intent to be absent for such Election Day activity must be given to the employee's supervisor at least four (4) calendar days before the Election Day on which the absence will occur. Subsequent to the authorization for absence, the employee must provide certification from the Allen County Election Board of the election-related work performed to be eligible for an authorized day off with pay.

SECTION 4. That this ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor and shall apply to all agreements entered into after its effective date.

Council Member

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay, Corporation Counsel

1
2 BILL NO. G-94-09-24 (As Amended)

3 GENERAL ORDINANCE NO. G-
4

5 An ordinance ~~prohibiting the negotiation of excused~~
6 ~~absence and payment for individuals setting forth~~
7 ~~policies for City Employees who provide election-related~~
8 ~~services.~~

9 WHEREAS, before January 1, 1993, City employees traditionally received paid
10 time-off for Primary Election and General Election Days;

11 WHEREAS, an ordinance allowing for the excused absence and payment for
12 individuals who provide election-related services was defeated by the Common Council
13 of the City of Ft. Wayne on April 26, 1994;

14 ~~WHEREAS, the current agreement between the International Union of Operating~~
15 ~~Engineers, Local 19 and the City of Ft. Wayne contains language allowing for an~~
16 ~~excused absence and payment for individuals who provide election-related services;~~

17
18 WHEREAS, it is in the interest of the City of Ft. Wayne to have consistency with
19 City policies;

20 NOW THEREFORE BE IT ORDAINED BY THE COMMON COUNCIL OF
21 THE CITY OF FT. WAYNE, INDIANA;

22 ~~SECTION 1. No collective bargaining ^{unit shall be} agreement between the City or ~~and a~~~~
23 ~~collective bargaining unit negotiated shall contain a provision allowing for an excused~~
24 ~~absence and payment for individuals who provide election/campaign-related services.~~

25
26 SECTION 2. ~~1~~ Primary Election and General Election Days shall not be recognized
27 as paid holidays ~~or authorized days off~~ ^{all} for persons employed by the City of Ft. Wayne,
28 ~~except for individuals who work for the Allen County Election Board as Inspector,~~
29 ~~Clerk, Judge or Sheriff or in some other official capacity appointed by the Allen~~
30 ~~County Election Board for at least eight (8) hours on the Election Day in question.~~

31
32 SECTION 3. Notification of intent to be absent for such Election Day activity

1 *must be given to the employee's supervisor at least four (4) calendar days before the*
2 *Election Day on which the absence will occur. Subsequent to the authorization for*
3 *absence, the employee must provide certification from the Allen County Election Board*
4 *of the election-related work performed to be eligible for an authorized day off with pay.*
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6
7 ~~SECTION 3.~~ *SECTION 3.* That this ordinance shall be in full force and effect
8 from and after its passage and any and all necessary approval by the Mayor and shall
9 apply to all agreements entered into after its effective date.
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13 _____
 Council Member

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15 APPROVED AS TO FORM AND LEGALITY

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17 _____
 J. Timothy McCaulay, Corporation Counsel
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Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by _____ title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Dir Junte, seconded by _____, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>0</u>	<u>8</u>		<u>1</u>
BRADBURY		<u>✓</u>		
EDMONDS				<u>✓</u>
GiaQUINTA		<u>✓</u>		
HENRY		<u>✓</u>		
LONG		<u>✓</u>		
LUNSEY		<u>✓</u>		
RAVINE		<u>✓</u>		
SCHMIDT		<u>✓</u>		
TALARICO		<u>✓</u>		

DATED: 11-1-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19_____, ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19_____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

Read the first time in full and on motion by De Jure, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 9-27-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by De Jure, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>6</u>			<u>3</u>
BRADBURY	<u>✓</u>			
EDMONDS				<u>✓</u>
GiaQUINTA				<u>✓</u>
HENRY	<u>✓</u>			
LONG	<u>✓</u>			
LUNSEY				<u>✓</u>
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			
TALARICO	<u>✓</u>			

DATED: 10-11-94

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK
Richard E. Schupp, Deputy Clerk

Passed and adopted by the Common Council of the City of Fort Wayne,

Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____

on the _____ day of _____, 19____

ATTEST: (SEAL)

SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

BILL NO. G-94-09-24

~~10-11~~
~~10-25~~
11-1.

REPORT OF THE COMMITTEE ON
REGULATIONS
REBECCA J. RAVINE - MARK E. GiaQUINTA - CO-CHAIR
DONALD J. SCHMIDT
JANET G. BRADURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) PROHIBITING THE NEGOTIATION
OF EXCUSED ABSENCE AND PAYMENT FOR INDIVIDUALS WHO PROVIDE ELECTION-
RELATED SERVICES

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

<u>DO PASS</u>	<u>DO NOT PASS</u>	<u>ABSTAIN</u>	<u>NO REC</u>
<i>Rebecca Ravine</i>			
<i>Mark E. GiaQuinta</i> → ✓			
	<i>QJS</i>		
	<i>Janet G. Bradbury</i>		

DATED: 11-10-94

Sandra E. Kennedy
City Clerk